

REMARKS

In the Office Action mailed June 16, 2004, the Examiner rejected claims 38, 43 and 47 under 37 USC 112, second paragraph. These claims have been cancelled. Applicant thanks the Examiner for pointing out that these claims were dependent upon previously cancelled claims.

The Examiner rejected claims 1, 3-6, 12, 15-21, 23-25, 37, 39, 40, 58-66, 68, 69, 71, 72, 74 and 75 under 35 USC 102(b) as being anticipated by Grisch. Applicant respectfully traverses this rejection.

Grisch teaches several objects (such as manhole segments, seats, etc.) made of compression molded thermosetting resin (such as polyethylene or polypropylene) with chopped glass fibers and a fabric layer. The fibers reinforce the plastic (column 1, lines 16-22).

Unlike Grisch, Applicant's invention has no fibers and is made only of plastics. All of the claims have been amended to provide that the lid is made only of plastic material. Grisch does not teach or suggest Applicant's invention.

The remaining claims have been rejected under 35 USC 103(a) as being unpatentable over Grisch alone, or in view of Bonnema. Applicant respectfully traverses these rejections, as these claims are dependent upon the claims discussed above.

In addition, claims 67, 70 and 73 provide that the thickness is at least one and one-half inches. Applicant disagrees that *In re Aller*, 220 F.2d 454 (CCPA 1955) would apply because this thickness is not merely an optimum for workable range discoverable by routine experimentation. As previously

argued, as well as stated by the inventor in his declaration, increasing the thickness to this value or greater causes curing problems that are not readily solvable with conventional knowledge.

In view of the foregoing, it is submitted that all the claims in the application are allowable and such allowance is respectfully requested.

If any additional fees are required, please charge our deposit account number 23-2770.

In addition, if the Examiner believes that a telephone call would further the discussion of the interview of April 2004, please feel free to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Geoffrey A. Mantoath', with a stylized, sweeping flourish extending from the end of the name.

Geoffrey A. Mantoath, Reg. No. 32,042
Decker, Jones, McMackin, McClane, Hall & Bates
Burnett Plaza, Suite 2000
801 Cherry Street, Unit #46
Fort Worth, Texas 76102
(817) 336-2400
(817) 336-2181 FAX

Attorney for Applicant